

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DANIEL HOUDE,  
Plaintiff

v.

ROBERT TURGEON, STEPHEN  
GUNNERSON, KEVIN JOHANSON,  
MATTHEW D'ANDREA, BRIAN  
HALLORAN, THOMAS DUFFY, SEAN  
MCCANN and CITY OF WORCESTER  
Defendants

C.A. NO. 05-40075FDS

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Plaintiff has filed suit against the City of Worcester and seven of its police officers alleging that the Defendants violated his civil rights during the course of an arrest which took place on May 20, 2001. Defendants Robert Turgeon, Stephen Gunnerson, Kevin Johanson, Matthew D'Andrea, Brian Halloran, Thomas Duffy, Sean McCann, and the City of Worcester ("the Defendants") now move this Court, pursuant to Fed. R. Civ. P. Rule 56(b), to enter summary judgment in their favor, dismissing all counts of Plaintiff's Complaint. As grounds for this Motion, Defendants state that there is no genuine issue as to any material fact with relation to the claims against Defendants, and further state that the Defendants are entitled to judgment as a matter of law. In further support of this Motion, Defendants rely on the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment and the exhibits attached thereto.

Respectfully submitted,

Robert Turgeon, Stephen Gunnerson,  
Kevin Johanson, Matthew D'Andrea,  
Brian Halloran, Thomas Duffy, Sean  
McCann and City of Worcester,

By their attorneys,

David M. Moore  
City Solicitor

/s/ Janet J. McGuiggan  
Assistant City Solicitor  
City of Worcester  
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BBO #630013

CERTIFICATE OF SERVICE

I, Janet J. McGuiggan, hereby certify that, on this 12<sup>th</sup> day of February, 2007, the within document was filed through the ECF electronic filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Janet J. McGuiggan  
Janet J. McGuiggan